

CIVIL ACTION NO.: 7:24-cv-1097

Defendants.

NOTICE OF REMOVAL

Melissa Ertl v. Avantor Inc. and VWR International, LLC, case number 24-CVS-004043 (“State Action”).

3. On October 29, 2024, Plaintiff issued a Civil Summons as to Avantor, Inc. and VWR International, LLC to be served with the Complaint.

4. Defendant Avantor, Inc., received notice of the State Action Summons and Complaint on November 1, 2024. Defendant Avantor, Inc. does not waive any defenses to the Complaint.

5. Defendant VWR International, LLC, received notice of the State Action Summons and Complaint on November 6, 2024. Defendant VWR International, LLC does not waive any defenses to the Complaint.

6. True and accurate copies of the State Action Complaint, Civil Action Cover Sheet, and Summons are attached hereto as **Exhibits A, B, and C**, respectively, pursuant to 28 U.S.C. § 1446(a) and are incorporated by reference.

7. No further proceedings have occurred in the State Action. Defendants have not served any answer or other responsive pleading to the Summons and Complaint, nor made any appearance, argument, or request for relief before the General Court of Justice, Superior Court Division for New Hanover County, North Carolina (“Superior Court”).

8. This Notice of Removal is timely filed within thirty (30) days of Defendants’ receipt of notice of the Summons and Complaint, pursuant to 28 U.S.C. § 1446(b).

9. Pursuant to 28 U.S.C. § 1331, this Court has jurisdiction over this action based on federal question jurisdiction in that this action purportedly arises under the laws of the United States, namely Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et. seq.* (“Title VII”).

10. To the extent that Plaintiff purports to assert claims other than federal claims against these Defendants, the Defendants contend that the exercise of supplemental jurisdiction would be appropriate over those claims pursuant to 28 U.S.C. § 1367 as any such claims are inherently related and intertwined with Plaintiff's federal claims, forming the same case or controversy.

11. The United States District Court for the Eastern District of North Carolina embraces the district in which the State Action is now pending (New Hanover County).

12. Defendants therefore file this Notice of Removal of the State Action from the Superior Court in which it is now pending to the United States District Court for the Eastern District of North Carolina.

13. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal is being served on Plaintiff's counsel, and Defendants are promptly causing a copy of this Notice of Removal to be filed with the Clerk of the Superior Court for New Hanover County, North Carolina, as shown by the Notice attached hereto as **Exhibit D**.

14. Defendants submit this Notice of Removal without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has claims upon which relief can be granted or those related to service or process.

15. All Defendants who have been served are a party to and consent to this removal.

WHEREFORE, Defendants pray that this action be removed from the Superior Court of New Hanover County, North Carolina, to the United States District Court for the Southern District of North Carolina.

Respectfully submitted, this the 2nd day of December, 2024.

JACKSON LEWIS P.C.

BY: /s/ Matthew Duncan

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STATE OF NORTH CAROLINA
NEW HANOVER COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 24-CVS-4043

MELISSA ERTL,)
)
Plaintiff,)
)
vs.)
)
AVANTOR INC. and VWR)
INTERNATIONAL, LLC.,)
)
Defendants.)

CERTIFICATE OF SERVICE

The undersigned certifies that on December 2, 2024, a copy of the *Notice of Removal* was electronically filed with the Clerk of the Court, using the Court's CM/ECF electronic service system, and served this day on counsel for Plaintiff via email and United States Mail, postage prepaid, addressed as follows:

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